In The Matter Of:

Department of Education
In Re: Great Oaks Charter School

Hearing April 2, 2014

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Wilmington, DE 19801

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THE STATE OF DELAWARE
DEPARTMENT OF EDUCATION
PUBLIC HEARING
IN THE MATTER OF:
Great Oaks Charter School)
Department of Education The Townsend Building 2nd Floor Cabinet Room 401 Federal Street Dover, Delaware 19901
Wednesday, April 2, 2014 6:00 p.m.
BEFORE: Jennifer Nagourney, Executive Director Charter Office, Department of Education
Donna Johnson, Executive Director State Board of Education
ATTORNEY: Catherine T. Hickey, DAG Attorney for Department of Education
Transcript of Proceedings
WILCOX & FETZER 1330 King Street Wilmington, DE 19801 (302) 655-0477 www.wilfet.com



1	MS. NAGOURNEY: Good evening. I
2	declare this public hearing to be open. My name is
3	Jennifer Nagourney. I am the Executive Director for
4	the Charter School Office of the Delaware Department
5	of Education. I have been appointed by the
6	Secretary of Education to conduct this public
7	hearing.
8	Great Oaks Foundation has filed an
9	application to open a new charter school in
10	Delaware. I will now ask the others with me today
11	to introduce themselves.
12	MS. HICKEY: Catherine Hickey. I'm a
13	Deputy Attorney General, and I serve as counsel to
14	the Department of Education.
15	MS. JOHNSON: Hi. I'm Donna Johnson.
16	I'm the Executive Director of the Delaware State
17	Board of Education.
18	MS. NAGOURNEY: This joint public
19	hearing is being held by the Department of Education
20	and the State Board of Education to give the school
21	the opportunity to provide information about and
22	comment on the application and also to receive
23	public comments.
24	I would like the record to reflect the



notice of the time, date, and place of today's public hearing was published in the News Journal and the Delaware State News on March 17, 2014. In addition, notice was posted at the Charter School Accountability Committee's official place of business, on the Department of Education's official website, and on the State Public Meeting Calendar on the state official website on February 18, 2014.

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Further, the applicant was personally notified of the time, date, and place of today's public hearing on February 20, 2014.

The court reporter is present so that a record of this hearing can be made. It will be necessary for each speaker to clearly identify himself or herself before beginning to speak so the court reporter will be able to note who you are.

The record of this hearing will be provided to the Secretary of Education and members of the State Board of Education, together with any written or electronic comments received at or before this hearing.

We will proceed in the following manner: First we will hear from any representatives from the charter school who wish to speak. Then we

1 will take comments from anyone else who decides to 2 There are sign-up sheets outside. If there is anyone who wants to speak who has not yet signed 3 4 in, please do so right now. I am now going to go get the sheet. 5 Okay. Can I have a show of hands of 6 all of those who desire to make comments? 7 I see only three people. Are you for Great Oaks? 8 9 UNIDENTIFIED SPEAKER: Oh, no. Sorry. 10 MS. NAGOURNEY: Okay. Hands for 11 everyone making comments for Great Oaks? 12 try to be as liberal as time will allow in accepting We have set a limit of three minutes per 13 comments. However, I do reserve the right to limit 14 speaker. 15 comments that are repetitive or cumulative. point we will accept comments from any 16 17 representative from the school. MS. HUTTON: I'm Sarah Hutton. 18 I'm on the board of Great Oaks, Wilmington. 19 The Great Oaks 20 Foundation currently supports two existing charter 21 schools, one Newark, New Jersey, and one in New York 22 City. And the model was inspired by the Match 23 School of Boston.

24

What is the main focus of their model

is the tutor core. Every student receives at least two hours of daily one-on-one or small-group tutoring as part of the school day. And this serves to not only assist the students in their growth, but it also will serve as a human capital pipeline for Delaware, as many of these students end up getting their advanced degrees in teaching and continuing to teach in this or other schools in the area.

On behalf of the board, everyone is excited about the opportunity to bring this school to Wilmington. Great Oaks has a track record of success. On top of outperforming some other charter and district schools in literacy and math, they also have the third highest average student growth in literacy and math in Newark. So they really made some improvements for students who were not necessarily high performing when they came in.

Great Oaks New York City is in the first year, but interim assessments indicate that this will be the same case in New York City.

Representatives from Great Oaks distributed a petition for the schools throughout the greater Wilmington area and received hundreds of signatures. I think we turned that in last time.

MS. NAGOURNEY: 1 Uh-huh. 2 And the proposed executive MS. HUTTON: director, Kia Childs, has deep roots in Wilmington, 3 and she has already been reaching out to the 4 community and a lot of organizations that she had 5 connections with growing up, including the Forum to 6 7 Advance Minorities in Engineering, the Christina Cultural Arts Center, Kumba Academy, The Boys and 8 Girl Clubs, and Wilmington Urban League. 9 10 And, lastly, before we show the video, 11 I just want to say the founding board brings a diverse set of skills. Christina Grant has more 12 13 than ten years of teaching fundraising and charter 14 school management. Kia Childs, who I already mentioned, 15 brings experience teaching, developing curriculum, 16 and recruiting school staff. 17 Jeff Langdon is a CPA in Delaware and 18 19 will help with financial management. 20 Michael Maxwell is a Delaware lawyer 21 and will help with the legal issues. 2.2 And I oversee middle and high school 23 programming at the Latin Community Center. 24 from a community standpoint, I can say that parents



1	are definitely looking for this extended-day, tutor
2	type of model for their children. Especially given
3	the fact that the purchase of care model runs out
4	when a child turns 13, they are looking for a way
5	for their students to receive help.
6	So this is definitely something the
7	community wants. And if we could show the video
8	really quick, that would be great.
9	MS. NAGOURNEY: We will be using these
10	speakers. As you can see, they are quite small, so
11	I will ask for everyone's silence while the video
12	plays.
13	MS. HUTTON: That's all.
14	MS. JOHNSON: Is that on a jump drive
15	or
16	MS. NAGOURNEY: It is, but I actually
17	already have it as part of the record, so we will
18	post it again.
19	MS. JOHNSON: Okay.
20	MS. NAGOURNEY: Okay. Are there any
21	other representatives from the school? Okay. At
22	this point I will accept comments from anyone else
23	who desires to speak.
24	MS. DOLAN: Hi. I'm Nelia



1 MS. NAGOURNEY: Please come up to the table. 2 Do I sit down? 3 MS. DOLAN: Okay. It makes it easier 4 MS. HICKEY: Yes. for her. 5 MS. DOLAN: My name is Nelia Dolan, and 6 7 I am a parent from the Cape Henlopen School District. And I have been coming up to a few 8 9 meetings over the last six months or so just because 10 of concerns I have in what's happening in the charter schools in my area, and then I started 11 12 looking at what's going on in other places. 13 have wrote this down because, you know, I get 14 nervous. So charter schools are growing at a 15 rapid pace in New Castle County with four new 16 17 charters slated to open this year, as everybody knows, and four possible opening in September of 18 2015, all middle and high schools. 19 20 I have stated publicly that I don't 21 like what I see is happening in the charter schools I wish the Charter School Network and 22 in Delaware. 23 individual charter schools would work harder to stop 24 what I see as the stratification and segregation

that is happening in charter schools.

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I wish our state representatives would take a proactive role and introduce legislation that would both mandate and help our charter schools in balancing the student bodies. But these issues are not why I am here today.

My biggest concern is the driving force behind the national charter movement. Although the charter movement may have started at the grass roots level, as it has in Delaware, recently the model has slipped with national corporations spearheading the rapid expansion of charters schools until the rapid expansion of charter schools in many communities.

Why this sudden interest from non-educational institutions in starting up charter schools? Money. Kristen Rawls from AltNet.com has looked at the invisible ways corporations profit from the startup of non-profit charter schools.

Thanks to a law passed by Congress in 2000 known as the New Markets tax credit, banks and equity funds that invest in charter schools can take advantage of a tax credit, as much as 39 percent to help offset their expenditure in charter schools.

That credit can amount to doubling the amount of

money they have invested within seven years.

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They are allowed to combine that tax credit with job creation credits, as well as collect interest payments on the money they are lending out to corporate charters. All of this can add up to more than double in returns. This is why so many big banks and equity funds are so invested in the expansion of charter schools. There is little risk involved due to the nature of the charter school.

Another federal program called EB-5 allows rich donors throughout the world to invest 500,000 or more in charter schools to purchase immigration visas for themselves and their families.

As Rawls points out, these corporate sponsors can also wage massive national opinion campaigns creating the broad perception in popular media today that charter schools are good and public schools and public schools and public schools are bad.

I do not know who the investors or backers of Great Oaks Charter Schools are, or even if they have any, but I hope that this has been looked into by the committee. There are also three corporations mentioned in the documents I read -- Great Oaks Charter School Foundation, Great Oaks

Charter School-Wilmington, and Innovative Schools.

Are they all non-profit? I don't know.

The application states that the main corporation is a not-for-profit corporation, but this does not mean that someone involved isn't making a lot of money.

There are many charter school corporate directors in New York who are making huge salaries, including Moskowitz of Success Academy who is paid \$485,000 a year; Deborah Kenney, Chief Executive of Harlem Village Academies, which runs two schools, who is paid \$499,000 a year; and Ian Rowe of the Bronx Preparatory School who is paid \$338,000 a year.

My overall reaction to the Great Oaks
Charter School is that a school that proposes to
have class sizes of 33 students is set up to be run
profitably and to be able to replicate itself.

Now, I saw too in the presentation that they modeled their schools after Match -- the Match School in Boston, which I know is a very successful school up there. But I read something that said that one of the tenets of the Match School is small class sizes. But I read that by a second party. I

1 tried to look it up through the Match School 2 website, and I didn't see it. They didn't have, you know, what they believe in, but I think that's 3 another thing that needs to be looked at. 4 Match School have these very large classes also? 5 So the other part to their plan for 6 7 success seemed vague to me. And, as yet, they have no proven track record. You know, they have been 8 9 open -- I think they are in their second year in 10 Newark, New Jersey, and they are in their first year 11 in New York. So, you know, what is the rush? 12 can't we wait and see how their other schools are 13 14 doing before you brought them in? While I find the attitude of the 15 Charter School Network in Delaware condescending and 16 17 harmful to both our district schools and the people who work for our district schools, I feel like that 18 it is made up of people who have a real investment 19 20 in our state and people who really care about our 21 communities and care about our children. 2.2 Make no mistake, Corporate America does 23 not care about the children of Delaware. And I'm

not saying that you don't, the young lady who came

1	and gave the presentation.
2	I ask you to say no to Great Oaks
3	Charter School and send them a message that Delaware
4	public schools are not for sale.
5	I will leave you with an excerpt from a
6	Forbes Magazine article from September of 2013
7	entitled "Charter School Gravy Train Runs Express to
8	Fat City" by Addison Wiggin. For now, the big money
9	in charter schools is confined to those on the
10	inside. In late 2010, Goldman Sachs announced it
11	would lend \$25 million to develop 16 charter schools
12	in New York and New Jersey. The news release said
13	the loans would be credit enhanced by funds awarded
14	by the U.S. Department of Education, of course.
15	Thank you for taking my comments.
16	MS. HICKEY: So let me just ask, are
17	you submitting this as an exhibit, or are you giving
18	it to the court reporter for assistance in her
19	transcription of what you said?
20	MS. DOLAN: I guess I'm submitting it.
21	MS. HICKEY: As an exhibit. Okay. So
22	we are going to have this as Great Oaks Exhibit 1.
23	(The reporter marked Exhibit 1.)
24	MS. DOLAN: Can I leave something else,



1	too, that I did not read?
2	MS. HICKEY: Certainly.
3	MS. DOLAN: This is from a website
4	called New York City Public School Parents, and it's
5	about Michael Duffey, who is the founder of Great
6	Oaks Charter Foundation, and he is also involved in
7	another corporation, which that's mostly about
8	victory schools. It's now called Victory, the
9	corporation.
LO	MS. HICKEY: Okay. So this would be
L1	Great Oaks Exhibit 2. Thanks.
L2	(The reporter marked Exhibit 2.)
L3	MS. NAGOURNEY: Is there anyone else
L4	who desires to speak?
L5	MS. MASSETT: Yeah. Yeah. I'm going
L6	to make a statement. Do I need to sign in?
L7	MS. HICKEY: Please, yes.
L8	MS. MASSETT: Kendall Massett,
L9	K-E-N-D-A-L-L, M-A-S-S-E-T-T, Executive Director,
20	Delaware Charter Schools Network.
21	And I just need to address Great Oaks
22	Foundation is a non-profit. Our law states that you
23	have to be a non-profit, and they are.
24	As a non-voting member of the



1	committee, I know that that was looked at. Their
2	class size is 33, because they have a tutor model
3	that allows them to have more structured,
4	individualized time with the students.
5	This is not about making money. This
6	is about taking care of kids. I was able to visit
7	Great Oaks in Newark, New Jersey. They are doing
8	amazing things for kids in Newark, New Jersey. They
9	will do amazing things for our kids here in
10	Wilmington, Delaware.
11	That's what I have to say. And we have
12	a network support there coming to our state. Thank
13	you.
14	MS. NAGOURNEY: Is there anyone else
15	who desires to speak? If not, I want to thank you
16	all for participating today. The Secretary will
17	consider your comments as part of the
18	decision-making process. And your comments will
19	also be available for State Board to consider. The
20	hearing is now closed.
21	(Concluded at 6:27 p.m.)
22	
23	
24	



1 CERTIFICATE 2 I, Lorena J. Hartnett, a Notary Public and 3 Registered Professional Reporter, do hereby certify that the foregoing is an accurate and complete transcription 4 of the proceeding held at the time and place stated 5 6 herein, and that the said proceeding was recorded by me 7 and then reduced to typewriting under my direction, and constitutes a true record of the testimony given by said 8 9 witnesses. 10 I further certify that I am not a relative, 11 employee, or attorney of any of the parties or a relative or employee of either counsel, and that I am in 12 no way interested directly or indirectly in this action. 13 IN WITNESS WHEREOF, I have hereunto set my 14 15 hand and affixed my seal of office on this 3rd day of 16 April 2014. 17 18 19 2.0 21 2.2 Lorena J. Hartnett Registered Professional Reporter



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In The Matter Of:

Department of Education
In Re: Pike Creek Charter Middle School

Hearing April 2, 2014

Wilcox & Fetzer, Ltd.
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Wilmington, DE 19801

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THE STATE OF DELAWARE
DEPARTMENT OF EDUCATION
PUBLIC HEARING
IN THE MATTER OF:
Pike Creek Charter Middle School)
Department of Education The Townsend Building 2nd Floor Cabinet Room 401 Federal Street Dover, Delaware 19901
Wednesday, April 2, 2014 6:30 p.m.
BEFORE: Jennifer Nagourney, Executive Director Charter Office, Department of Education
Donna Johnson, Executive Director State Board of Education
ATTORNEY: Catherine T. Hickey, DAG Attorney for Department of Education
Transcript of Proceedings
WILCOX & FETZER 1330 King Street Wilmington, DE 19801 (302) 655-0477 www.wilfet.com



1 2 MS. NAGOURNEY: Good evening. Ι declare this public hearing to be open. My name is 3 4 Jennifer Nagourney. I'm Executive Director for the Charter School Office of the Delaware Department of 5 Education, and I have been appointed by the 6 7 Secretary of Education to conduct this public hearing. 8 9 Pike Creek Charter Middle School has 10 filed an application for a new charter. I am going 11 to ask the others with me today to introduce 12 themselves. 13 MS. HICKEY: My name is Catherine I'm a Deputy Attorney General, and I serve 14 Hickey. 15 as counsel to the Delaware Department of Education. MS. JOHNSON: I'm Donna Johnson, 16 17 Executive Director, State Board of Education. 18 MS. NAGOURNEY: This joint public 19 hearing is being held by the Delaware Department of 20 Education and the State Board of Education to give 21 the school the opportunity to provide information 22 about and comments on the application, and also to 23 receive public comments.



I would like the record to reflect that

the notice of the time, date, and place of today's 1 2 public hearing was published in the News Journal and the Delaware State News on March 17, 2014. 3 In addition, notice was posted at the 4 Charter School Accountability Committee's official 5 place of business, on the Department of Education's 6 7 official website, and on the State Public Meeting Calendar on the state's official website on 8 February 18, 2014. 9 10 Further, the applicant was personally 11 notified of the time, date, and place of today's 12 public hearing on February 20, 2014. 13 The court reporter is present so that a record of this public hearing can be made. 14 It will 15

be necessary for each speaker to clearly identify himself or herself before beginning to speak so the court reporter will be able to note who you are.

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The record of this hearing will be provided to the Secretary of Education and members of the State Board of Education, together with any written or electronic comments received at or before this hearing.

We will proceed in the following manner: First, we will hear from any



1	representatives of the charter school who wish to
2	comment on the application. Then we will take
3	comments from anyone else who desires to speak.
4	There were sign-up sheets in the hallway outside. I
5	have a sign-up sheet here. If there is anyone who
6	has not signed in who desires to speak, please let
7	me know. Okay. At this point we will accept
8	comments from any representatives of the school.
9	MS. SHEEHAN: My name is Robyn Sheehan,
10	R-O-B-Y-N, S-H-E-E-H-A-N. I am a founding board
11	member of Pike Creek Charter.
12	First, I would like to say that we have
13	an additional letter of support, just to get that
14	in.
15	MS. HICKEY: This will be Pike Creek 1.
16	(The reporter marked Exhibit 1.)
17	MS. SHEEHAN: Okay. And please accept
18	the apologies of my fellow board members who
19	couldn't make it today due to prior obligations.
20	But I appreciate you having me here.
21	On March 28th, we received notice that
22	our conditional approval had been revoked. This
23	news didn't just affect us but also our community
24	and supporters.



1 We have promised transparency 2 throughout our journey during the good, the bad, and So, when we were faced with this 3 the ugly. 4 challenge, we stayed true to our foundation and reached out to our community for support. 5 And you know what? They answered with 6 Facebook comments and sharing our statuses that 7 resulted in an increase of our original 262 likes, 8 up 157 to a whopping 419 likes. 9 10 March 23rd was our most popular week, according to the SCO tool on Facebook. 11 12 In respect for everyone's time, I will not read all the comments, as there are over 60 of 13 14 them. However, they are being submitted with this document for public record. 15 Those comments in support of Pike Creek 16 Charter Middle School, in addition to the support 17 letters we have gathered, have resulted in over 130 18 unique individuals speaking up in support for Pike 19 20 Creek Charter Middle School. 21 These individuals are from the 22 community, from New Castle County, from businesses and organizations, all who believe in the mission 23

and vision of Pike Creek Charter Middle.

The community also answered quickly over the past four days with financial support. We want to thank all of our donors who have enabled us to secure a total of \$207,500 in the past week alone.

2.2

Please see Michael Smith's response for a further detailed on fundraising and specific donations and in-kind contributions from other donors.

As promised to our supporters, we are fighting to provide a unique academic experience that focuses on the whole child, which is encouraged by our small class sizes.

As stated in our application, middle schools in Red Clay are overcrowded. Class size data from DOE's website shows that 47 percent of classes at Stanton Middle have 26-plus students per class. 65 percent of classes at Skyline Middle also have 26-plus students. And 37 percent of classes at H. B. DuPont Middle School also have 26-plus students per classroom.

Red Clay has not met the class size requirements for K-3 in accordance with Title 14, Section 1705A. The district board has granted a

1 waiver for this requirement, fueling our concern 2 that overcrowded elementary schools which currently outnumber middle schools 14 to 5, excluding charter 3 schools, will lead to even more overcrowding in our 4 middle schools. 5 We would welcome the opportunity to 6 7 discuss this data with the superintendent to discuss any potential inaccuracies in our evaluation to 8 9 date. 10 Any concern the committee has had 11 during this process, we have answered. Pike Creek 12 charter isn't approved on paper yet; however, it's 13 very much alive in spirit. Our model is proven. 14 Our community and family support is solid. And our founding board is dedicated to making Pike Creek 15 Charter Middle School a reality. 16 I thank the committee for their 17 consideration in approving Pike Creek Charter Middle 18 19 School. Thank you for your time. 20 MS. HICKEY: Do you want them two 21 separate documents? Exhibits 2 is your remarks. 22 Exhibit 3 -- help me identify this, please. 23 MS. SHEEHAN: Okay. 24 This is five pages of MS. HICKEY:



1	comments that you pulled off of the Facebook page?
2	MS. SHEEHAN: Right, in support. Yes.
3	MS. HICKEY: Right. Okay. Thank you.
4	(The reporter marked Pike Creek
5	Exhibits 2 and 3.)
6	MS. HICKEY: Thank you.
7	MS. NAGOURNEY: Is there anyone else
8	who wishes to speak? If not, I want to thank you
9	all for participating today. The Secretary will
10	consider your comments as part of the
11	decision-making process, and your comments will also
12	be available for the State Board to consider. This
13	hearing is now closed.
14	(Concluded at 6:39 p.m.)
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1 CERTIFICATE 2 I, Lorena J. Hartnett, a Notary Public and 3 Registered Professional Reporter, do hereby certify that the foregoing is an accurate and complete transcription 4 of the proceeding held at the time and place stated 5 6 herein, and that the said proceeding was recorded by me and then reduced to typewriting under my direction, and 7 constitutes a true record of the testimony given by said 8 9 witnesses. 10 I further certify that I am not a relative, 11 employee, or attorney of any of the parties or a relative or employee of either counsel, and that I am in 12 no way interested directly or indirectly in this action. 13 IN WITNESS WHEREOF, I have hereunto set my 14 15 hand and affixed my seal of office on this 3rd day of 16 April 2014. 17 18 19 2.0 21 2.2 23 Lorena J. Hartnett Registered Professional Reporter 24



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